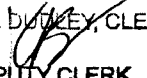


OCT 12 2011

JULIA C. DUTNEY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ROBERT E. SAMPSON,
Petitioner,

v.

CAPTAIN,
Respondent.

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Civil Action No. 7:11-cv-00479

FINAL ORDER

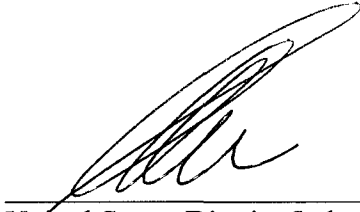
By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Sampson's 28 U.S.C. § 2254 petition shall be and hereby is **DISMISSED without prejudice** and this action shall be **STRICKEN** from the active docket of the court.

Further, finding that Sampson has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner.

ENTER: This 12th day of October, 2011.



United States District Judge